

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
Intersection of Liberty Rd. and * ZONING COMMISSIONER
Bumont Avenue * OF BALTIMORE COUNTY
9330 Liberty Rd.-Prestige Imports
2nd Election District * CASE # 93-381-X
2nd Councilmanic District
Legal Owner: Bernard Koman
Contract Purchaser: Tom Markides
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 9330 Liberty Road near the Randallstown community of Baltimore County. The Petition was originally filed by Bernard Koman, then owner of the subject parcel. However, subsequent to the filing of the Petition, but prior to the public hearing, the property was purchased by Tom Markides. Mr. Markides is identified in the Petition as Contract Purchaser. Mr. Markides is Chief Executive Officer of Prestige Imports, the business entity that wishes to occupy the site.

Under the Petition for Special Exception, Mr. Markides seeks approval for the use of the property for the sale of previously owned automobiles pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). The site is zoned B.R. Used motor vehicle sales facilities are permitted in that zone only by special exception.

Appearing at the public hearing held for this case was Dimitri Yiannouris, Sales Manager of Prestige Imports. Mr. Yiannouris explained that Mr. Markides was out of the country attending a family member's wedding at the time of the public hearing and could, therefore, not attend. Also appearing was Dimitri Hodges, the Civil Engineer who prepared the plat to accompany the Petition for Special Exception, marked as Petitioner's Exhibit No. 1. The Petitioner was represented by Matthew T. Angotti, Esquire. Also appearing at the public hearing was Emily Wolfson of the Liber-

ty Community Development Corporation. If properly restricted, she supports the proposed special exception use. Also appearing was Ethel M. Carter, a neighbor, who opposes the Petition.

Mr. Hodges testified and presented the plan. That plan notes that the subject site is .797 acres and is zoned B.R. As noted above, the property is located on Liberty Road in Randallstown. There are numerous commercial uses along that stretch of Liberty Road near where the property is located. Specifically, surrounding the site is an automobile repair shop, automobile dealership and similar commercial uses. Mr. Hodges noted that the site had originally obtained C.R.G. approval approximately four years ago. At that time, the site was developed for the business known as Larry's Mazda, a new car dealership. A one-story automobile showroom building was constructed which is approximately 4,000 sq. ft. in area. The Petitioner desires to utilize that existing structure for its used car business. Mr. Hodges noted that, other than renovations to the building, there will be no exterior changes or new construction on site. The plat shows a sufficient number of parking spaces to the rear of the existing building which will be used for display/storage of vehicles and parking. Further, vehicles will be displayed towards the front of the site adjacent to Liberty Road and within the existing one-story showroom building. Further, Mr. Hodges testified that the site is already served by existing public utilities, and there is a storm water management system in place. In Mr. Hodges' view, the proposed business will have no adverse impact on the health, safety and general welfare of the community, as set forth in Section 502.1 of the B.C.Z.R.

Mr. Yiannouris also testified and fully described the nature of the proposed business. He noted that Prestige Imports is presently located in Baltimore City and has been at its existing location for approximately four

-2-

years. The nature of the business is to sell expensive late model used cars. All of the cars sold are imports such as BMW, Lexus, Mercedes, etc. Mr. Yiannouris indicated that the business has outgrown its present location and the owner desires to relocate to the subject site. He described fully the nature of the business and the type of automobiles and clientele. He indicated that many of the vehicles have a sales price of over \$25,000. Presently, approximately 20 cars are kept as inventory, however, it is hoped that this number will be expanded at the subject location, which is larger than the present site. Further, the business hours of operations are Monday through Friday, 10:00 A.M. to 8:00 P.M., and Saturday, 10:00 A.M. to 6:00 P.M. The business is closed on Sunday.

Mr. Yiannouris also observed that the business will only sell used cars and there will be no service work performed on site. There will be a small amount of detailing and vehicle prep performed on site prior to the delivery of a vehicle, but no significant mechanical work will take place. Any repairs or overhauls of vehicles sold by the dealership are done offsite at dealers or other service garages.

Also testifying at the hearing was Emily Wolfson of the Liberty Community Development Corporation. She noted that the site is presently vacant and applauds the Petitioner's efforts to convert the vacant property to a business. However, she is concerned about the potential adverse effects of the business on the neighborhood. Therefore, she requests that certain landscaping and similar improvements be made to the site. Also, she desires to restrict the special exception to Mr. Markides and his business only. That is, although supporting Prestige Imports and its high quality operation, she does not want low price/high volume dealership, or service garage, at this locale.

-3-

Mr. Wolfson's comments were echoed by Ethel M. Carter, the President of Kings Park Community Association. However, in addition to these concerns, Ms. Carter expressed reservations about the proposed use of the site and generally opposes used car dealerships in the Randallstown area. She is also particularly concerned about the existing lighting on site. She observed that same reflects into Liberty Road and adjoining properties nearby.

As with all zoning petitions, the subject Petition for Special Exception was referred to the Zoning Plans Advisory Committee (ZAC) for review and comment. Comments were received from the various reviewing agencies of Baltimore County; among them, a comment from the Office of Planning and Zoning. That agency's comment supported the proposal but suggested additional landscaping to the property, replacement of existing lighting and a prohibition on service garage activity on site.

As noted above, the proposed use is permitted by special exception, pursuant to Section 236.4 of the B.C.Z.R. A special exception use is a use which has been predetermined by the Baltimore County Council to be conditionally compatible with the uses permitted as of right in a particular zone. The Zoning Commissioner must decide in each case whether the presumptive compatibility exists, pursuant to the standards set forth in Section 502 of the B.C.Z.R. See e.g., Rockville Fuel and Feed Company, Inc., v. Board of Appeals of the City of Gaithersburg, 257 Md. 183, 262 A.2d 499 (1970).

The Petitioner has the burden of adducing testimony and evidence to show that the proposed use meets the prescribed standards and requirements. He does not have to show that the proposed use will be a benefit to the community, only that said use will be conducted without real detriment to the neighborhood and will not adversely effect the public interest.

-4-

In the instant case, I am persuaded that the Petitioner has met its burden. It is particularly significant that a similar use recently existed on this site. Thus, there is a "track record" to support the Petitioner's contention that the proposed automobile sales business can be operated without any detriment to the community and that the special exception should, therefore, be granted. Based upon the testimony and evidence presented, I am persuaded that the Petitioner has satisfied its burden at law and that the standards set forth in Section 502.1 of the B.C.Z.R. have been met.

Notwithstanding my conclusion, however, I concur with the comments offered by the Office of Planning and Zoning and echoed by Mrs. Wolfson and Mrs. Carter. Therefore, to ensure that the use will not detrimentally affect the area, I shall include certain restrictions to my Order. These shall include improvements to the site both as to landscaping and correction of the existing lighting. Further, I shall restrict the special exception to this Petitioner and his business only.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11th day of June, 1993 that the Petition for Special Exception seeking approval for the sale of previously owned automobiles, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for

-5-

returning, said property to its original condition.

2. A correction shall be made to the existing lighting at this site. All exterior lighting will be directed only onto the subject property, and will not reflect offsite, either onto the adjacent properties or the adjacent roadway. The corrected lighting scheme shall be reviewed by a representative from the Department of Public Works and proof of said inspection and compliance with this Order shall be submitted to the Zoning Commissioner for inclusion in the case file, and same shall be submitted within 120 days hereof.

3. The Petitioner shall submit a landscape plan to be reviewed and approved by the Baltimore County Landscape Architect. The plan shall be in accordance with the Baltimore County Landscape Manual and consistent with the 1990 Liberty Action Plan Update.

4. The special exception granted herein is personal only to the subject Petitioner and his business, Prestige Imports. It is the intent of this restriction that if the nature of the business changes, so that other than expensive imported used motor vehicles are sold, the property owner must file a Petition for Special Hearing to amend the relief requested herein. Further, if the identity of the principals, who operate the current business is changed, the authority allowed within the subject Petition for Special Exception shall also be forfeited, unless a public hearing (special hearing) is held to formally approve a different business/ownership.

5. There shall be no service garage work performed within the structure or on the subject property at any time.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 10, 1993

Matthew T. Angotti, Esquire
201 N. Charles Street
Baltimore, Maryland 21201

RE: Petition for Special Exception
Case No. 93-381-X
Legal Owner: Bernard Koman
Contract Purchaser: Tom Markides
Property: 9330 Liberty Road, Prestige Imports

Dear Mr. Angotti:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn

att:
cc: Mr. Tom Markides
cc: Ms. Emily Wolfson
cc: Ms. Ethel M. Carter



Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 9330 Liberty Road, Balto., MD. 21133
which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

The sale of previously owned automobiles.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:
Tom Markides
(Type or Print Name)
Signature: *Tom Markides*
Address: 6207 Reisterstown Road
Baltimore, MD. 21215
City State Zipcode

Legal Owner(s):
Bernard Koman
(Type or Print Name)
Signature: *Bernard Koman*
(Type or Print Name)

Attorney for Petitioner:
Matthew T. Angotti, Esquire
(Type or Print Name)
Signature: *Matthew T. Angotti*
Address: 201 N. Charles St.
Baltimore, MD. 21201
City State Zipcode

900 Bellmore Road (410) 433-0797
Baltimore, MD. 21210
City State Zipcode
Address and phone number of legal owner, contract purchaser or representative to be contacted:
Joseph H. Omsky, Esquire
1414 Reisterstown Road (410) 484-5355
Baltimore, MD. 21208
City State Zipcode

ESTIMATED LENGTH OF HEARING: _____
DATE: 4/27/93
REVIEWED BY: *ES* OTHER: _____
DATE: 4/27/93

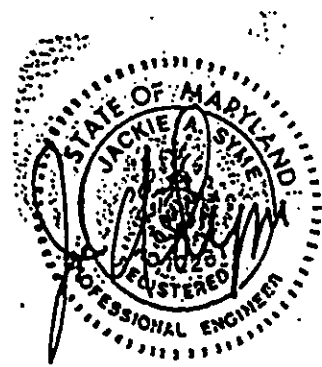
ITEM # 316

93-381-X

DESCRIPTION FOR A SPECIAL EXCEPTION APPLICANT

BEGINNING FOR THE SAME on the northeast side of Liberty Road at the beginning point of that parcel of land which by a deed dated October 29, 1946 and recorded among the Land Records of Baltimore County, Maryland in Liber RJS 1496 folio 230, was conveyed by G. Jerome Schwesinger and Geraldino A. Schwesinger, his wife, to Bankers Trust Company, Trustee, and Consolidated Gas Electric Light and Power Company of Baltimore, thence binding on the outline of said parcel of land and binding on said side of Liberty Road, South 52 degrees 02 minutes East 149.68 feet, thence leaving said road and continuing to bind on the outline of said parcel of land by the two following courses and distances: North 38 degrees 03 minutes East 199.85 feet and North 52 degrees 02 minutes West, parallel with Liberty Road 183.15 feet to intersect the southeast side of Burmont Avenue, as widened and described in a deed dated February 18, 1982 and recorded as aforesaid in Liber 6371 folio 508 which was conveyed by Baltimore Gas and Electric Company to Baltimore County, Maryland and as shown on Baltimore County Department of Public Works Bureau of Land Acquisition Right-of-Way Plat No. 79-134-3, thence binding on said side of Burmont Avenue, as widened, by a line curving to the left having a radius of 290 feet for a distance of 67.71 feet to intersect the last line of the above first mentioned parcel of land from Schwesinger, thence binding thereon South 23 degrees 54 minutes West 136.96 feet to the place of beginning. Containing 0.797 of an acre of land, more or less.

BEING the same property which by Deed dated April 27, 1983 and recorded among the Land Records of Baltimore County, Maryland in Liber 6544 folio 599 was granted and conveyed by Baltimore Gas and Electric Company to Pearlstein-Levitt Investments, a Maryland general partnership, in fee simple.



200 4/17/93
ITEM # 316

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 5/1/93
Posted for: Special Exception
Petitioner: Bernard Koman & Tom Markides
Location of property: 9330 Liberty Rd.
Location of Sign: Along road way, on property to be zoned
Remarks: None
Posted by: Arnold Jablon Date of return: 5/2/93
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 13, 1993
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 13, 1993

THE JEFFERSONIAN,

S. Zabe Orlov
Publisher

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
93-381-X

Date: 4/27/93
BERNARD KOMAN
N/S LIBERTY RD. & E/S
BURMONT AVE.
050 SPECIAL EXCEPTION 300.00
000 POSTING (2 SIGNS) 70.00
TOTAL 370.00

DIAGNOSIS: CHICHC
BA C09137AH04-27-93 \$370.00
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 386

Petitioner: Tom Markides

Location: Liberty Road, between Burmont Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Matthew T. Angotti, Esq.

ADDRESS: 201 N. Charles St., Suite 2000, Baltimore, MD 21201

PHONE NUMBER: (410) 752-1630

AJ:ggs

(Revised 06/29/90 4/27/93
ITEM # 316

TO: PUPPETER PUBLISHING COMPANY

Please forward billing to:

Matthew T. Angotti, Esq.
201 N. Charles Street
Baltimore, Maryland 21201
(410) 752-1630

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-381-X (Item 386)
9330 Liberty Road - Prestige Imports
Intersection of Liberty Road and Burmont Avenue
2nd Election District - 2nd Councilmanic
Legal Owner(s): Bernard Koman
Contract Purchase(s): Tom Markides
HEARING: THURSDAY, JUNE 3, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Special Exception for the sale of previously owned automobiles.

Arnold Jablon
Director

LAWRENCE E. SCHULTZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MAY 6, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-381-X (Item 386)
9330 Liberty Road - Prestige Imports
Intersection of Liberty Road and Burmont Avenue
2nd Election District - 2nd Councilmanic
Legal Owner(s): Bernard Koman
Contract Purchase(s): Tom Markides
HEARING: THURSDAY, JUNE 3, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Special Exception for the sale of previously owned automobiles.

Arnold Jablon
Director

cc: Bernard Koman
Tom Markides
Matthew T. Angotti, Esq.
Joseph H. Connolly, Esq.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 24, 1993

Mr. Matthew T. Angotti, Esquire
201 N. Charles Street
Baltimore, MD 21201

RE: Case No. 93-381-X, Item No. 386
Petitioner: Bernard Koman
Petition for Special Exception

Dear Mr. Angotti:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 27, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-18-93

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 7386 (LEO)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-495-5028 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21202-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: May 18, 1993

SUBJECT: 9330 Liberty Road

INFORMATION:

Item Number: 386

Petitioner: Bernard Kosen

Property Size: _____

Zoning: BR

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Larry Masda formerly operated a new car dealership at this site.

While the 1990 Liberty Action Plan recommends a reduction in the number of new automotive related uses on Page 5, it also states on Page 6, "New Automotive uses might be compatible and encouraged in one area but not in another."

This site offers a unique opportunity for a used car lot. It is completely surrounded by business zoning and the following commercial uses are located within close proximity. This site does not abut any residential zones or uses.

- 2 new car dealerships
- body and fender shop
- bank
- furniture upholstery shop
- pest control business

Allowing the Petitioner to operate a used car lot from this location via special exception gives the Office of Planning and Zoning and the community a unique opportunity to comment regarding improvements to a site that has been vacant for approximately 2 years.

386.ZAC/ZAC1

Pg. 1

Should the special exception be granted, staff recommends the following improvements:

1. Plant street trees and shrubbery as recommended by the 1990 Liberty Action Plan Update. A Landscape Plan should be submitted to the County Landscape Architect for approval.
2. Replace existing lighting with lower shoe box type lighting that reflects away from traffic and casts illumination directly onto the site.
3. All signs must comply with the requirements of the "Liberty Action Plan Update." Sign design and location shall meet the approval of the Deputy Director of the Office of Planning and Zoning.
4. No service garage activity should be permitted on site.

Prepared by: *Jeffrey M. L.*

Division Chief: *Cary L. L.*

PK/JL:lw

386.ZAC/ZAC1

Pg. 2

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Date: May 11, 1993

FROM: Captain Jerry Pfeifer
Fire Department

SUBJECT: Comments for 05/17/93 Meeting

- | | |
|----------|----------------------------------------------------------------------------------------------------------------------------------|
| Item 386 | Building shall be built in compliance with the 1991 Life Safety Code and the Baltimore County Fire Prevention Code. |
| Item 387 | No Comments |
| Item 388 | No Comments |
| Item 389 | No Comments |
| Item 390 | No Comments |
| Item 391 | Site shall comply with applicable provisions of the Baltimore County Fire Prevention Code. |
| Item 392 | No Comments |
| Item 393 | No Comments |
| Item 394 | No Comments |
| Item 395 | Townhouses for which the initial building permit was applied for after July 1, 1992 are required by State law to be sprinklered. |

RECEIVED
MAY 12 1993
ZADM

CPS-008

ZONING HEARING CHECKLIST

This checklist is provided to you for your information only. It is not to be considered legal advice.

First, and most importantly: You must understand that the hearing you have requested is a quasi-judicial hearing and you are responsible for meeting the burden of proof required by the Baltimore County Zoning Regulations (B.C.Z.R.). A judicial hearing is an adversary process and, therefore, there may be opposition to your request. During a judicial hearing, the parties will be permitted to testify, present evidence and cross-examine witnesses. Either the Zoning Commissioner or the Deputy Zoning Commissioner will rule on the evidence and testimony to determine whether or not the petition will be granted.

Second: You must understand that you are permitted to have representation by an attorney of your choice. You are not required to have an attorney, but it is recommended that you consider obtaining legal representation. But, if you are unrepresented, it is considered a requirement that you be represented by an attorney.

Third: It is strongly recommended that you read and understand the requirements of the Baltimore County Zoning Regulations.

Fourth: No employee of the Baltimore County Office of Zoning Administration and Development Management may provide legal advice to anyone. The representatives and opinions of any employee are not to be construed as definitive in any case. Only the decision of the Zoning Commissioner rendered after the statutory required public hearing is considered dispositive in matters relating to the interpretation of the B.C.Z.R.

Even though there may not be opposition in a given case, your request may be denied.

For further information or to make an appointment, please contact:

Baltimore County Office of Zoning
Administration & Development Management
Development Control
111 West Chesapeake Avenue
Room 109
Towson, MD 21204
Telephone: 987-1391

Variances
Special Exceptions
Use Permits
Special Hearings
1

Non-Residential Properties

LAW OFFICES
ANDERSON, COE & KING
SUITE 2000
301 N. CHARLES STREET
BALTIMORE, MARYLAND 21201
TELEPHONE: 410-782-1830
FAX DIRECT DIAL: 410-782-0088
CABLE: ABKO

OCEAN CITY OFFICE
P.O. BOX 580
7804 COSTA MARIWAY, SE
OCEAN CITY, MD 21842
TELEPHONE: 410-824-8411
FAX DIRECT DIAL: 410-824-8479

May 4, 1993

Arnold Jablon, Esquire
Director of Zoning Administration
& Development Management
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204

Re: Item No. 386 9330 Liberty Road
Request for Special Exception by Prestige Imports, Inc., Contract Purchaser

Dear Mr. Jablon:

On April 27, 1993 this office filed on behalf of Prestige Imports, Inc. a Petition for Special Exception regarding the property known as 9330 Liberty Road, Randallstown, Maryland 21133. Although minor adjustments had to be made on the documented site plan the petition was accepted for filing. The adjustments to the site plan have been made, and it is at the suggestion of your personnel that I am writing you this letter in order to request an expedited hearing on the Petition for Special Exception.

Prestige Imports is the contract purchaser of the premises located on 9330 Liberty Road, formerly a part of Larry's Masda. The property will be put to the same use, however, since my client sells automobiles which are one to four years old a special exception is necessary to sell previously owned automobiles. Larry's was able to sell previously owned vehicles without a special exception since its business also involved the sale of new vehicles. Settlement between my client and the contract seller is scheduled for July 10, 1993, which is the reason I am writing you in order to request a slightly advanced hearing date on the request for special exception.

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS

Copy *Mr. M. CARTER* *9820 CLANFORD Rd*

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS

Copy *Prestige Imports* *6207 Reservoir Rd 21215*

DM MARKIDS

PLEASE PRINT CLEARLY CITIZEN SIGN-IN SHEET

NAME ADDRESS

Copy *Emily Wilson - HDC* *8506 Church Lane*

Copy *Barbara Steadman OMT* *Randallstown, Md 21133*

Copy *Boxer Smith Community Times* *409 Washington Ave H204*

PO Box 346 Westminster Md 21157

CITIZENS BANK OF MARYLAND
A Citizens Savings Subsidiary

2-12-93

Mr. Matthew T. Angotti
201 N. Charles St.
Baltimore, Md. 21201

Dear Mr. Angotti;

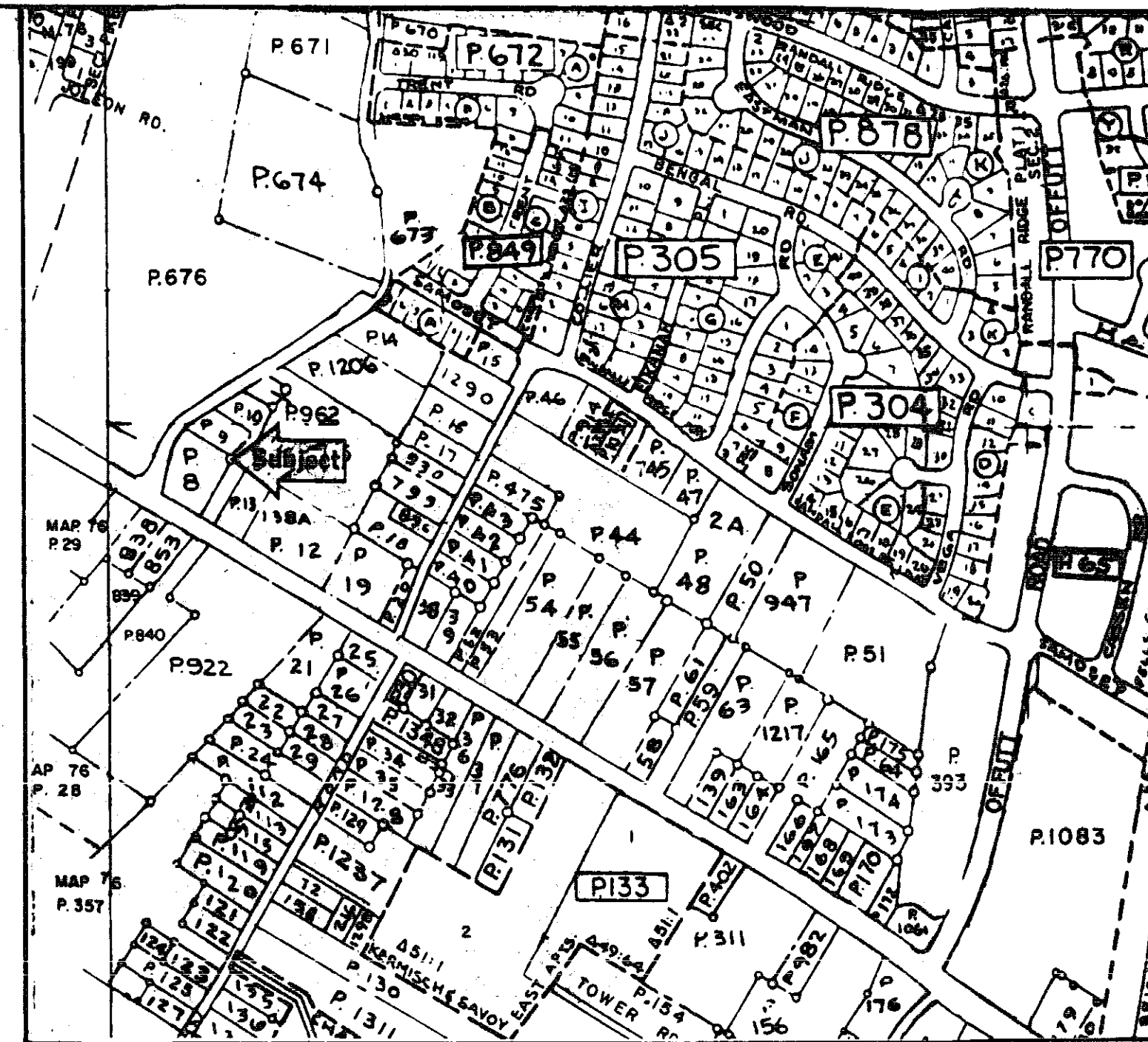
Citizens Bank of Maryland would look forward to establishing a relationship with Prestige Imports. We would gladly accept credit applications from their clients to finance automobiles.

Should you have any questions concerning rates or terms, or require any additional information, please do not hesitate to call.

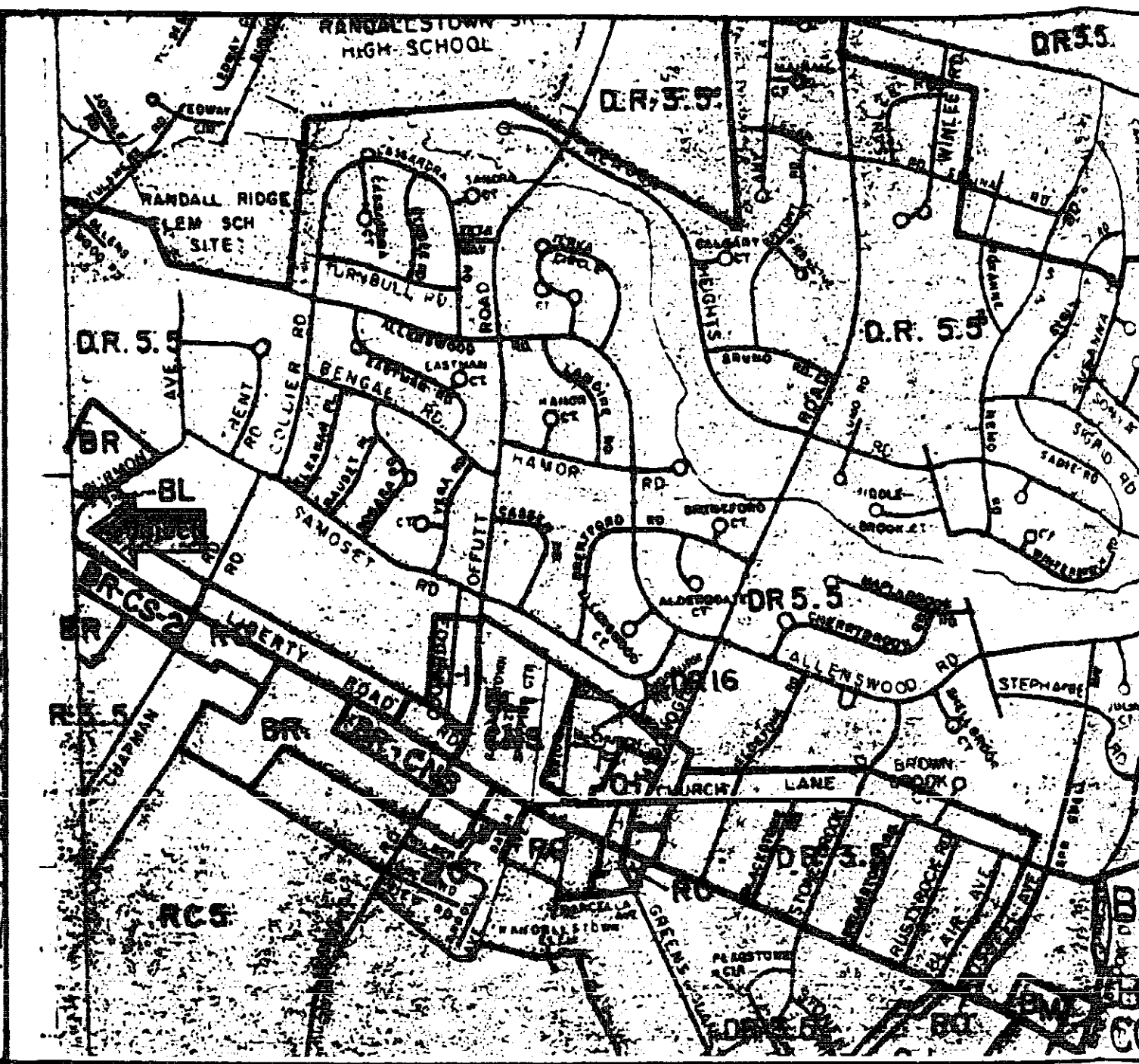
Sincerely,

John J. Smith, Jr.
Lynn M. Smith-McIntosh
Assistant Vice President
Pikesville Office
(410) 486-4800

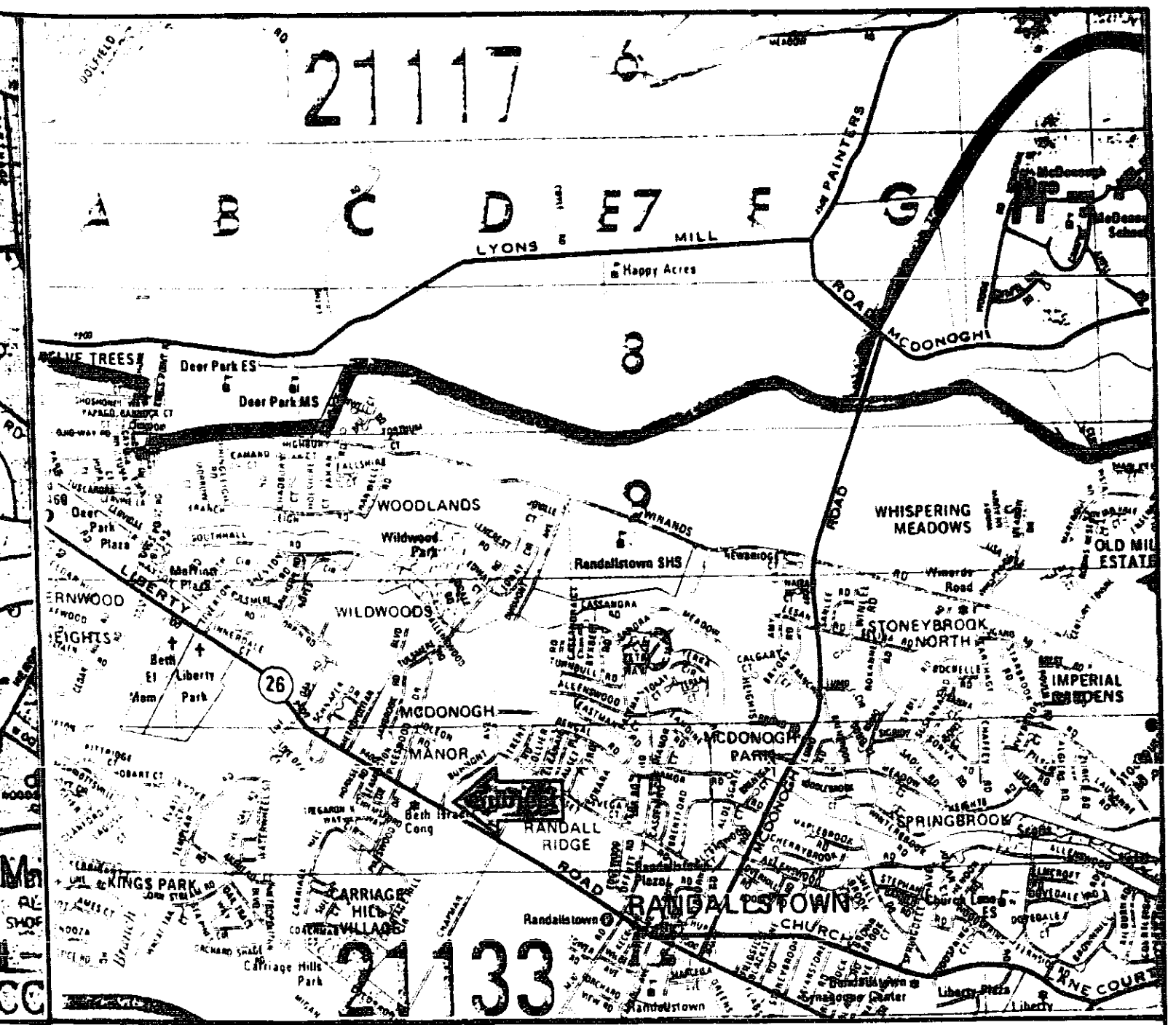
14401 Switzer Lane
Laurel, Maryland 20707
(301) 206-6000



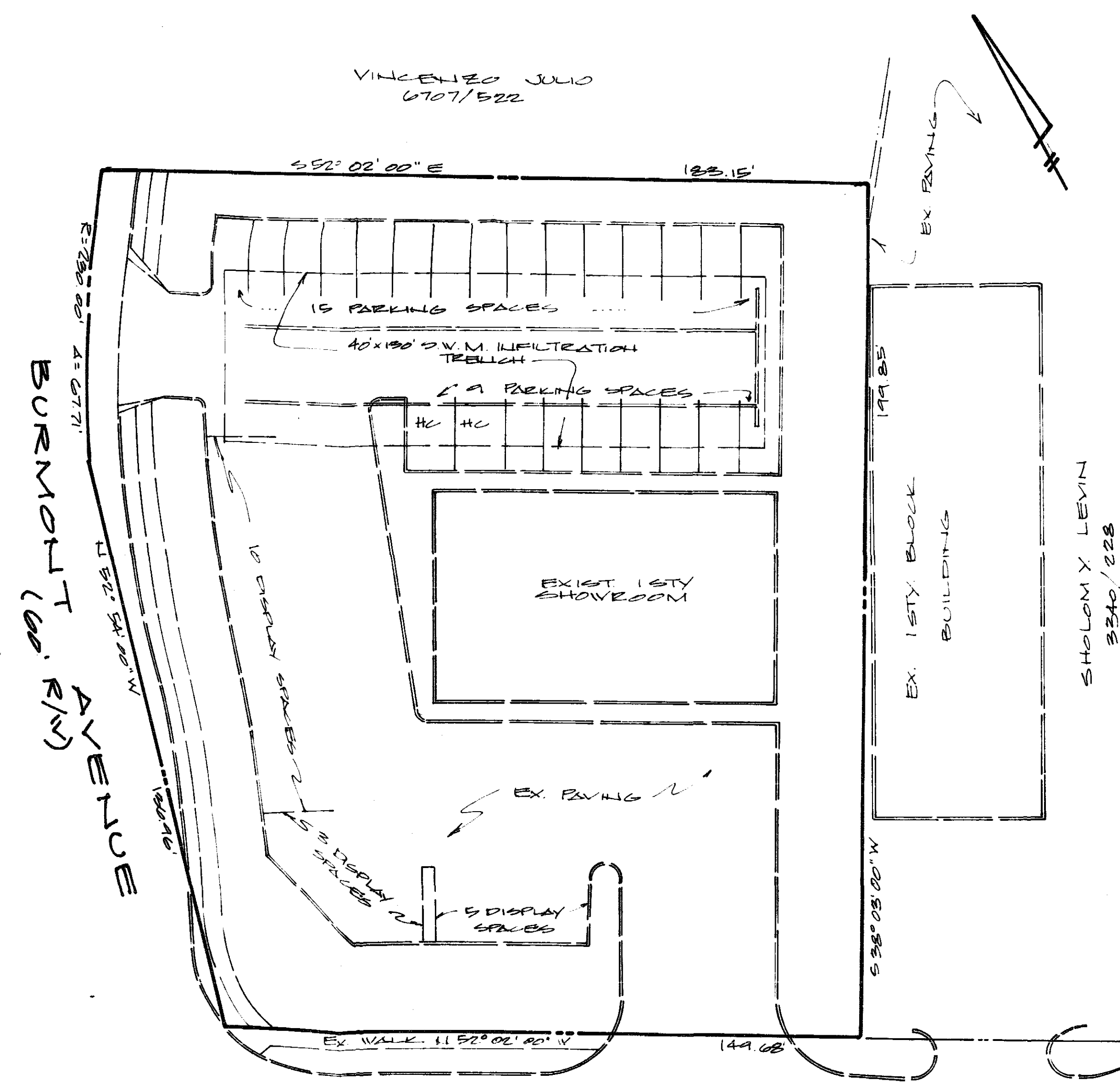
TAX MAP
SCALE: 1"=600'



ZONING MAP
SCALE: 1"=2000'



VICINITY MAP
SCALE: 1"=2000'



LIBERTY ROAD (90' R/W) PLAN
SCALE: 1"=20'

ADJACENT BUSINESS OWNERS

- P-9 JULIO VINCENZO
25 VICTORY FALLS COURT
SPARKS, MD. 21152
- P-10 LEVIN SHALOM Y.
9324 LIBERTY ROAD
RANDALLSTOWN, MD. 21133
- P-13 THIRD GENERATION ASSOCIATES
840 WILLIAM LANE
READING, PA. 19612
- P-676 LARRY ENTERPRISES LTD.
C/O LARRY'S PONTIAC GMC
93 LIBERTY ROAD
RANDALLSTOWN, MD. 21133
- P-962 FRANK JULIO/ FILOMENA JULIO
4510 AMEN ROAD
RANDALLSTOWN, MD. 21133

GENERAL NOTES

1. APPLICANT: Prestige Imports
c/o Tom Markides (President)
6207 Reisterstown Road
Baltimore, MD 21215
1-(410) 764-0800
2. PROPERTY LOCATION: 9330 Liberty Road
Randallstown
Baltimore, MD 21133
3. SITE REFERENCE: Tax Map 77, Grid 7 Parcel 9
4. TITLE REFERENCE: Liber 7393 Folio 141
5. SITE AREA: 0.797 Acres or 34,717 sq. ft.
6. ZONING: BR-C5-2 Commercial Use
7. EXISTING USE: One-story Masonry and Glass commercial building with a large showroom area and auxiliary office. Presently utilized as an automotive showroom. For the sales of new automobiles and supporting parking of 50 cars.
8. PROPOSED USE: Same as above. An automobile facility with 50 parking spaces. No expansion of the existing building. Special exception to allow the sale of preowned automobiles.
9. BOUNDARY: No boundary survey has been performed at this time. Boundary shown is taken from deed 7393/141.
10. SOIL TYPE: General description taken from soil map book is C82 - Chester silt loam and G8B Glenville silt loam.
11. STORMWATER MANAGEMENT: An existing infiltration trench at the north site of the property under the existing parking to manage the 2 & 10 year storm.
12. No wetlands on site and no flood plain or flood areas on site.
13. No critical areas, archaeological site endangered species habitat or hazardous material on site.
14. There are no buildings within 100' of the proposed building except as shown hereon.
15. UTILITIES: Existing public water and public sewer.

93-381-X

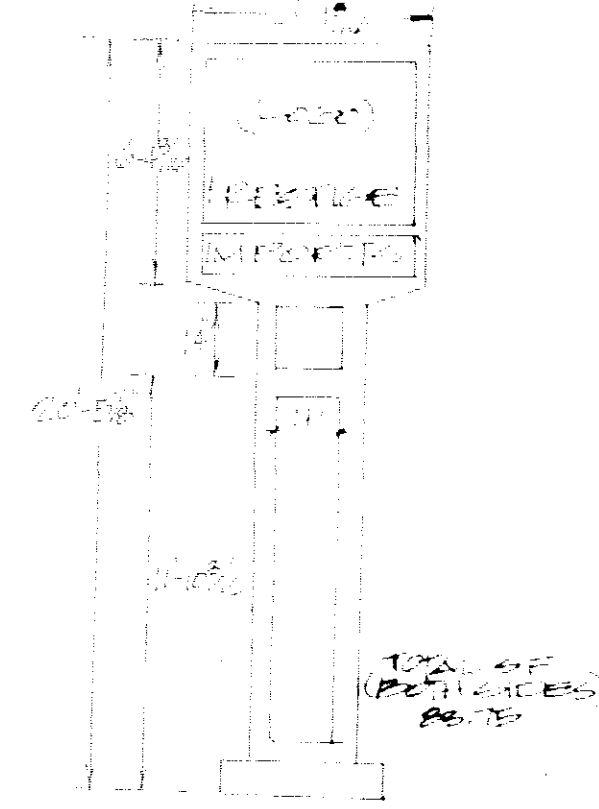
SPECIAL EXCEPTION IS GRANTED TO ALLOW THE SALE OF PRE-OWNED AUTOMOBILES

120 4/22/93
ITEM # 386



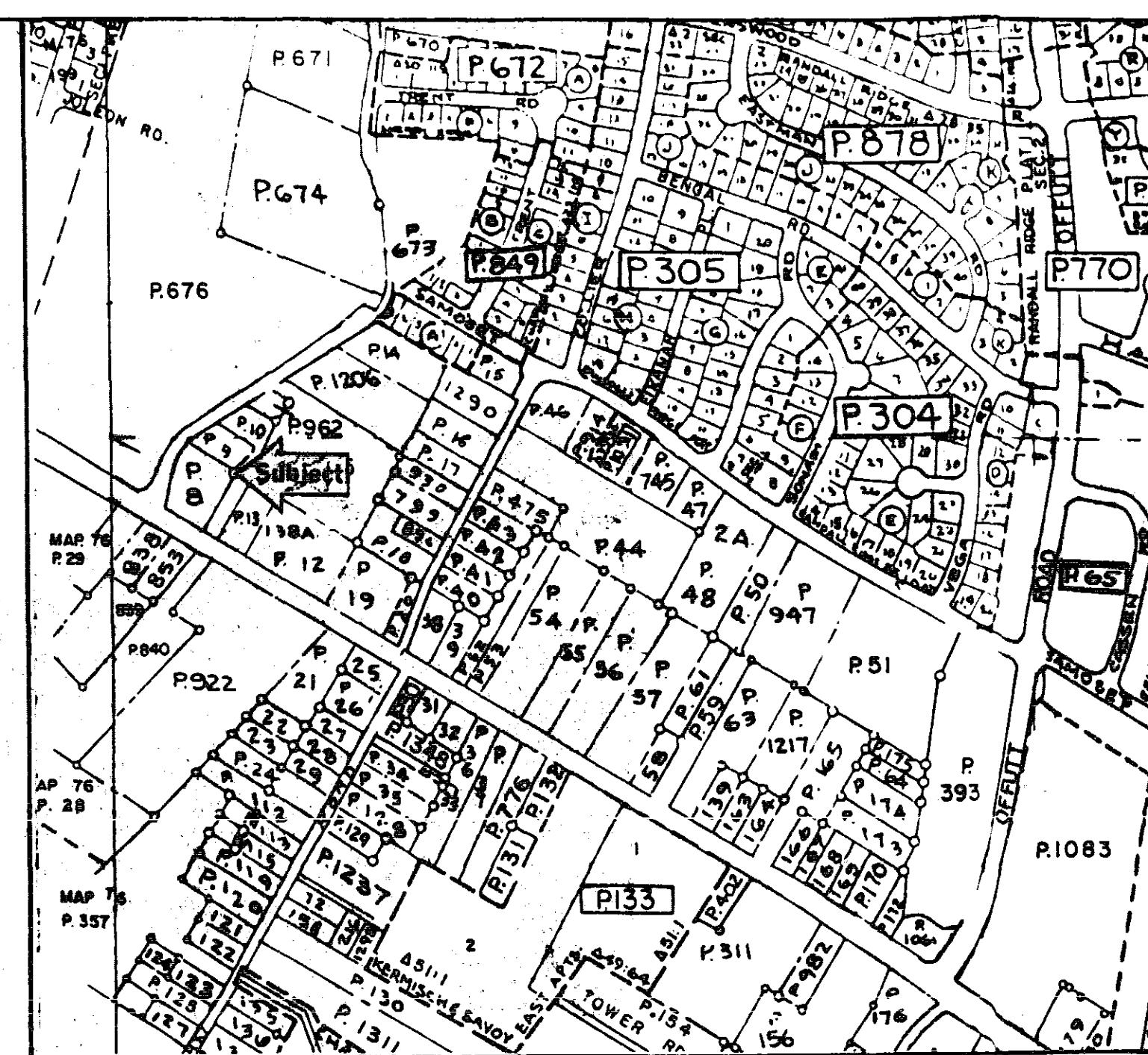
IMAGE DYNAMICS AND ASSOCIATES
P.O. BOX 618
ARNDT MARYLAND 21012
(410) 269-0128

SCALE: AS NOTED	SITE PLAN
DATE: MARCH 1993	SPECIAL EXCEPTION
DRAWN BY: JAL	LIBERTY RD & BURNMOUNT AVE
CHECKED BY: CH	TAX MAP 77, BLOCK 7, PARCELS
JOB NO:	SECOND DISTRICT
FOLDER REF:	BALTIMORE COUNTY, MARYLAND
SHEET 1 OF 1	FOR: PRESTIGE IMPORTS

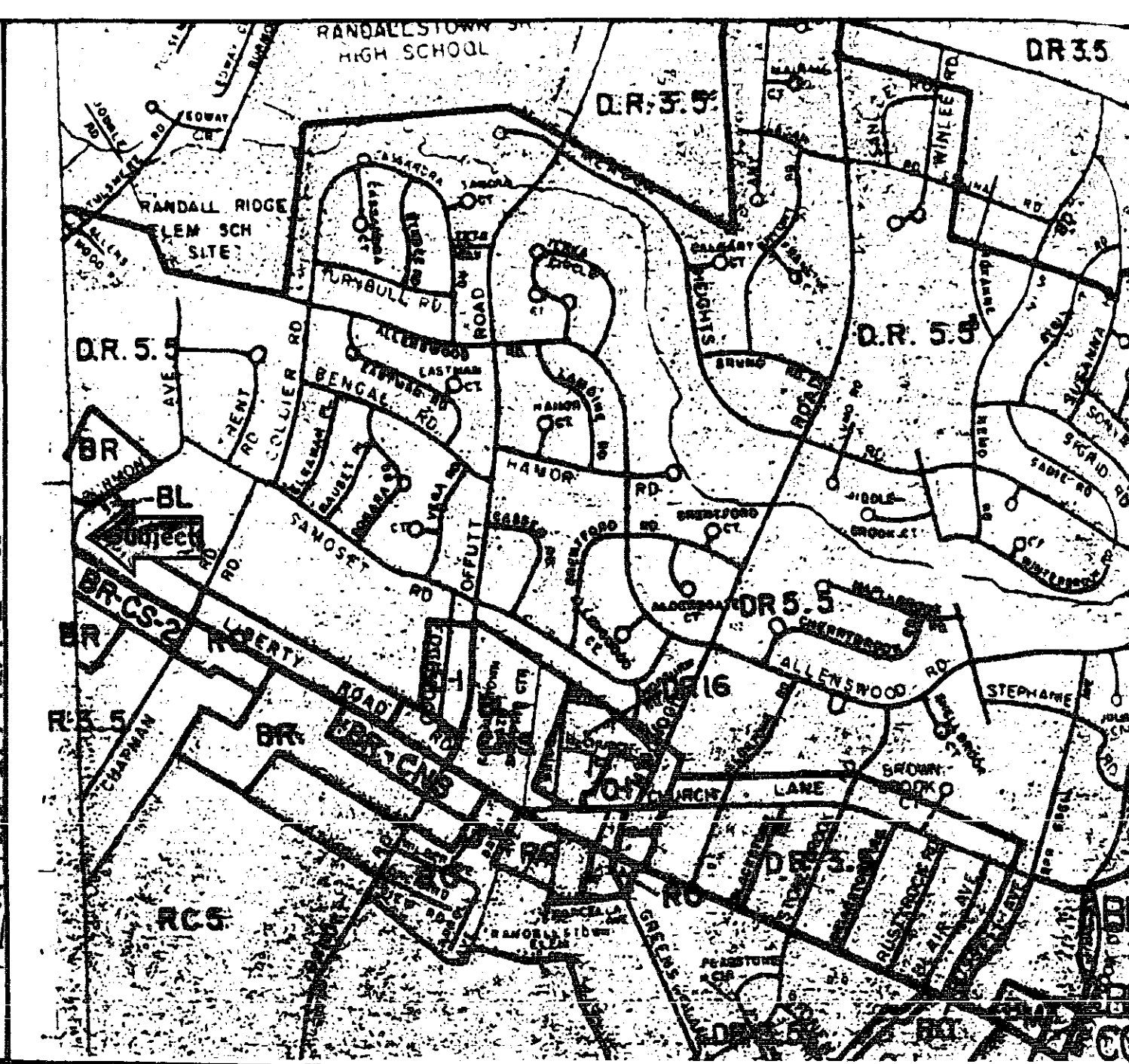


SIGN DETAIL

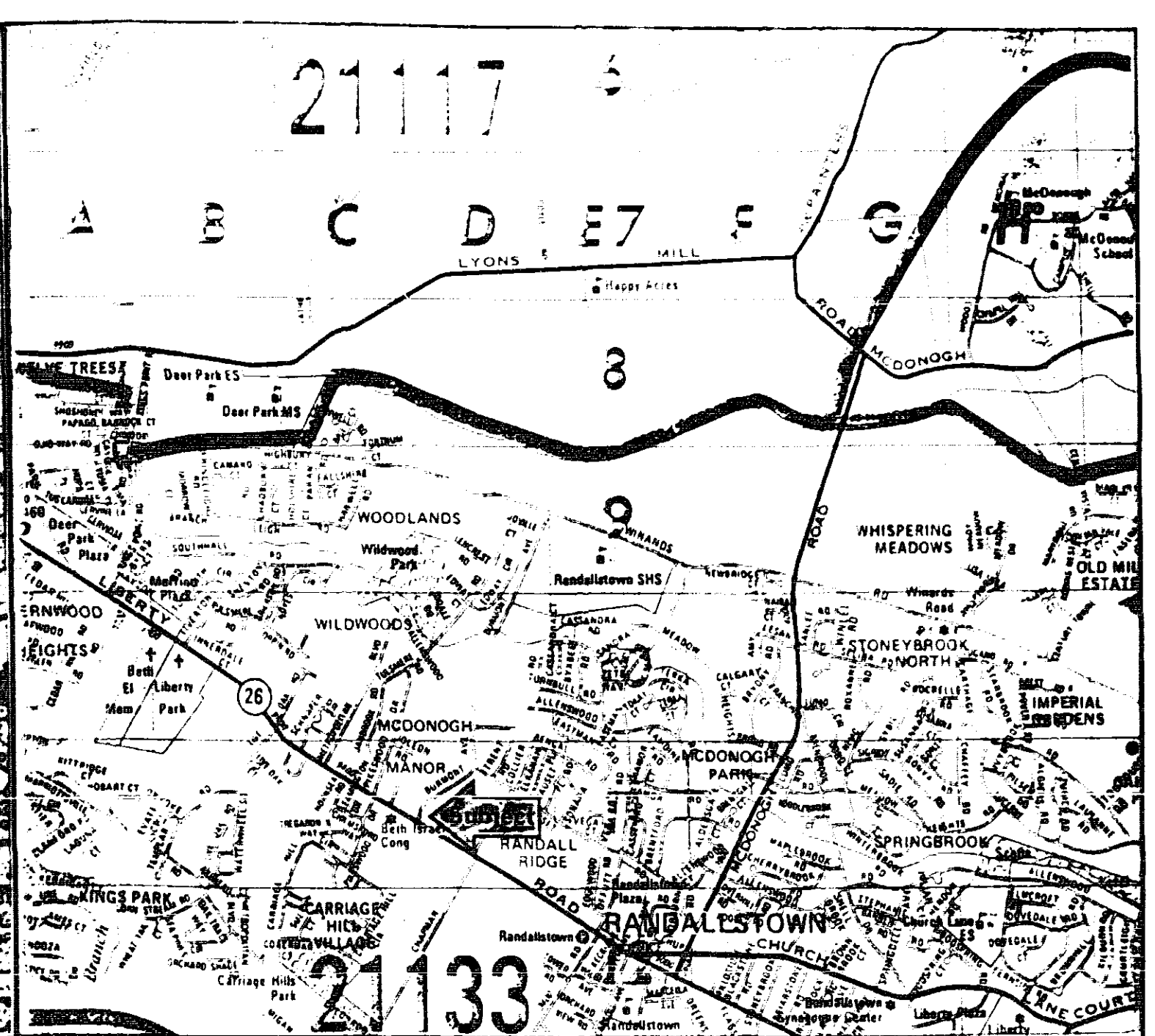
93-381-X



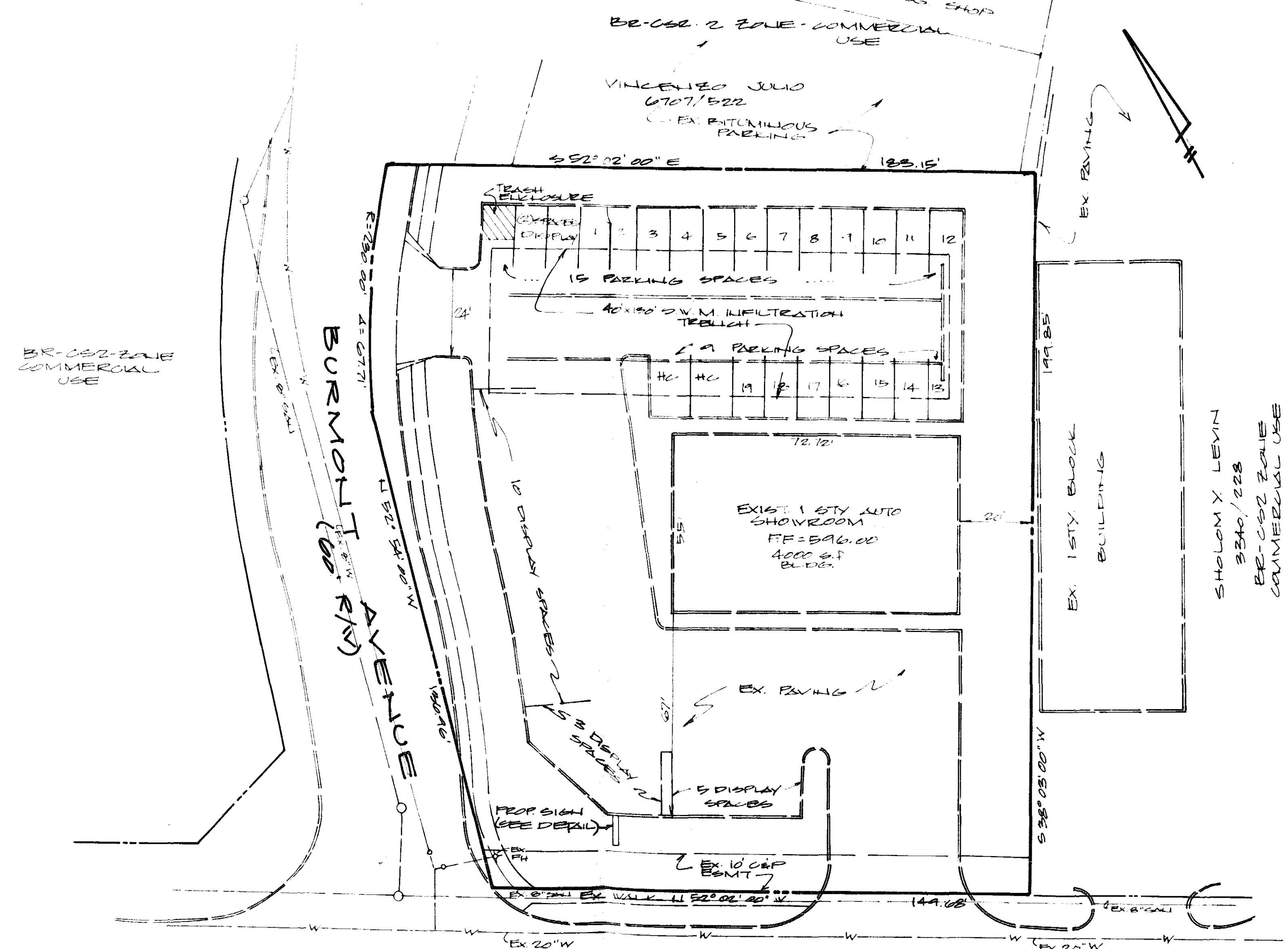
TAX MAP



ZONING MAP



VICINITY MAP



ADJACENT BUSINESS OWNERS

- P-9 JULIO VINCENZO
25 VICTORY FALLS COURT
SPARKS, MD. 21152
- P-10 LEVIN SHALOM Y.
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C/O LARRY'S PONTIAC GMC
931 LIBERTY ROAD
RANDALLSTOWN, MD. 21133
- P-962 FRANK JULIO/ FILOMENA JULIO
4510 AMEN ROAD
RANDALLSTOWN, MD. 21133

PARKING DATA			
PROPOSED:	SHOWROOM	3200 SF.	5/1000 = 16
EXISTING:	SALES OFFICE	800 SF.	5/1000 = 4
	PORTS	N/A	5/1000 = 4 1/2
	SALES TRAILER	N/A	5/1000 = 4 1/2
	SHOP AREA & BUSINESS OFFICE		25/1000 = 4 1/2
	PROP. SHOP AREA & BUSINESS OFFICE		33/1000 = 4 1/2
PROVIDED CUSTOMER HOLD-UP SPACE:			TOTAL = 20
OUTSIDE 20 SERVICE BAYS			

- GENERAL NOTES
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C/O Tom Markides (President)
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1-(410) 764-0800
 2. PROPERTY LOCATION: 9330 Liberty Road
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 13. No critical areas, archaeological site endangered species habitat or hazardous material on site.
 14. There are no buildings within 100' of the proposed building except as shown hereon.
 15. UTILITIES: Existing public water and public sewer.
 16. THE PROPOSED SETBACK ON LIBERTY ROAD IS THE AVERAGE SETBACK OF THE ADJACENT BUILDINGS AND THE PROPOSED 25 FT. WHICH ALONG A SETBACK OF 67'

SPECIAL EXCEPTION IS SOUGHT TO ALLOW THE SALE OF PRE-OWNED AUTOMOBILES

PETITIONER'S EXHIBIT No. 1

Dec 4/27/93
ITEM#326

	IMAGE DYNAMICS AND ASSOCIATES		SCALE: AS NOTED	SITE PLAN
	P.O. BOX 68 ARHOLD, MARYLAND 21012 (410) 269-6122		DATE: MARCH 1993	SPECIAL EXCEPTION FOR LIBERTY RD & BURNMOUT AVE TAX MAP 77, BLOCK 7, PARCELS 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 BALTIMORE COUNTY, MARYLAND
			DRAWN BY: JAU	
			CHECKED BY: CH	
			JOB NO.:	
			FOLDER REF	
		SHEET 1 OF 1	FOR: PRESTIGE IMPORTS	



1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Dale J. Volk
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 163-92, 164-92, 165-92, 166-92, 167-92, 168-92, 169-92
William L. Howard IV
Chairman, County Council

SCALE 1" = 200'	LOCATION RANDALLSTOWN	N. W. 7-J
DATE OF PHOTOGRAPHY JANUARY 1986	200 4/21/93 1764 # 386	

93-381-X